

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 16, as follows:

[Roll No. 488]

YEAS—225

Aderholt	Gingrey	Nunes
Akin	Gohmert	Nussle
Alexander	Goode	Osborne
Bachus	Goodlatte	Otter
Baker	Granger	Oxley
Barrett (SC)	Graves	Paul
Barrow	Green (WI)	Pearce
Bartlett (MD)	Gutknecht	Peterson (PA)
Barton (TX)	Hall	Petri
Bass	Harris	Pickering
Beauprez	Hart	Pitts
Biggart	Hastings (WA)	Platts
Bilbray	Hayes	Poe
Bilirakis	Hayworth	Pombo
Bishop (UT)	Hefley	Porter
Blackburn	Hensarling	Price (GA)
Blunt	Herger	Pryce (OH)
Boehlert	Hobson	Putnam
Boehner	Hoekstra	Radanovich
Bonilla	Hostettler	Ramstad
Bonner	Hulshof	Regula
Bono	Hunter	Rehberg
Boozman	Hyde	Reichert
Boustany	Inglis (SC)	Renzi
Bradley (NH)	Issa	Reynolds
Brady (TX)	Istook	Rogers (AL)
Brown (SC)	Jenkins	Rogers (KY)
Brown-Waite,	Jindal	Rogers (MI)
Ginny	Johnson (CT)	Rohrabacher
Burgess	Johnson (IL)	Ros-Lehtinen
Burton (IN)	Johnson, Sam	Royce
Buyer	Keller	Ryan (WI)
Calvert	Kelly	Ryun (KS)
Camp (MI)	Kennedy (MN)	Saxton
Campbell (CA)	King (IA)	Schmidt
Cantor	King (NY)	Schwarz (MI)
Capito	Kingston	Sensenbrenner
Carter	Kirk	Sessions
Chabot	Kline	Shadegg
Chocola	Knollenberg	Shaw
Coble	Kolbe	Shays
Cole (OK)	Kuhl (NY)	Sherwood
Conaway	LaHood	Shimkus
Crenshaw	Latham	Shuster
Cubin	LaTourette	Simmons
Davis (KY)	Leach	Simpson
Davis, Jo Ann	Lewis (CA)	Smith (NJ)
Davis, Tom	Lewis (KY)	Smith (TX)
Deal (GA)	Linder	Sodrel
Dent	LoBiondo	Souder
Diaz-Balart, L.	Lucas	Stearns
Diaz-Balart, M.	Lungren, Daniel	Sullivan
Doolittle	E.	Sweeney
Drake	Mack	Tancredo
Dreier	Manzullo	Taylor (NC)
Duncan	Marchant	Terry
Ehlers	Marshall	Thomas
Emerson	McCauley (TX)	Thornberry
English (PA)	McCotter	Tiahrt
Everett	McCrery	Tiberi
Feeney	McHenry	Turner
Fitzpatrick (PA)	McHugh	Upton
Flake	McKeon	Walden (OR)
Foley	McMorris	Walsh
Forbes	Rodgers	Wamp
Fortenberry	Mica	Weldon (FL)
Fossella	Miller (FL)	Weldon (PA)
Fox	Miller (MI)	Weller
Franks (AZ)	Miller, Gary	Westmoreland
Frelinghuysen	Moran (KS)	Whitfield
Gallegly	Murphy	Wicker
Garrett (NJ)	Musgrave	Wilson (NM)
Gerlach	Myrick	Wilson (SC)
Gibbons	Neugebauer	Wolf
Gilchrest	Northup	Young (AK)
Gillmor	Norwood	Young (FL)

NAYS—191

Abercrombie	Berkley	Boyd
Ackerman	Berman	Brady (PA)
Allen	Berry	Brown (OH)
Andrews	Bishop (GA)	Brown, Corrine
Baca	Bishop (NY)	Butterfield
Baird	Blumenauer	Capps
Baldwin	Boren	Capuano
Bean	Boswell	Cardoza
Becerra	Boucher	Carnahan

Carson	Johnson, E. B.	Price (NC)
Case	Jones (OH)	Rahall
Chandler	Kanjorski	Rangel
Clay	Kaptur	Reyes
Clyburn	Kennedy (RI)	Ross
Conyers	Kildee	Rothman
Cooper	Kilpatrick (MI)	Roybal-Allard
Costa	Kind	Ruppersberger
Costello	Kucinich	Rush
Cramer	Langevin	Ryan (OH)
Crowley	Lantos	Sabo
Cuellar	Larsen (WA)	Salazar
Cummings	Larson (CT)	Sánchez, Linda
Davis (AL)	Lee	T.
Davis (CA)	Levin	Sanchez, Loretta
Davis (IL)	Lipinski	Sanders
Davis (TN)	Lofgren, Zoe	Schakowsky
DeFazio	Lowey	Schiff
DeGette	Lynch	Schwartz (PA)
Delahunt	Maloney	Scott (GA)
DeLauro	Markey	Scott (VA)
Dicks	Matheson	Serrano
Dingell	Matsui	Sherman
Doggett	McCarthy	Skelton
Doyle	McCollum (MN)	Slaughter
Edwards	McDermott	Smith (WA)
Emanuel	McGovern	Snyder
Engel	McIntyre	Solis
Eshoo	McKinney	Spratt
Etheridge	McNulty	Stark
Evers	Meek (FL)	Stupak
Farr	Meeks (NY)	Tanner
Fattah	Melancon	Tauscher
Finer	Michaud	Taylor (MS)
Ford	Miller (NC)	Thompson (CA)
Frank (MA)	Miller, George	Thompson (MS)
Gonzalez	Mollohan	Tierney
Gordon	Moore (KS)	Towns
Green, Al	Moore (WI)	Udall (CO)
Grijalva	Moran (VA)	Udall (NM)
Gutierrez	Murtha	Van Hollen
Harman	Nadler	Velázquez
Hastings (FL)	Napolitano	Visclosky
Herse	Neal (MA)	Wasserman
Higgins	Oberstar	Schultz
Hinche	Obey	Waters
Hinojosa	Olver	Watson
Holden	Ortiz	Watt
Holt	Owens	Waxman
Honda	Pallone	Weiner
Hooley	Pascrell	Wexler
Hoyer	Pastor	Woolsey
Inslee	Payne	Wu
Israel	Pelosi	Wynn
Jackson (IL)	Peterson (MN)	
Jefferson	Pomeroy	

NOT VOTING—16

Cannon	Ferguson	Meehan
Cardin	Green, Gene	Millender-
Castle	Jackson-Lee	McDonald
Cleaver	(TX)	Ney
Culberson	Jones (NC)	Pence
Davis (FL)	Lewis (GA)	Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1314

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. FERGUSON. Mr. Speaker, on rollcall No. 488 I was unavoidably detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. CARDIN. Mr. Speaker, earlier today, I was unavoidably detained and missed two roll-call votes.

Had I been present, I would have voted “nay” on rollcall vote 487 and “nay” on rollcall vote 488.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 194, not voting 16, as follows:

[Roll No. 489]

AYES—222

Aderholt	Gibbons	Norwood
Akin	Gillmor	Nunes
Alexander	Gingrey	Nussle
Bachus	Gohmert	Osborne
Baker	Goode	Otter
Barrett (SC)	Goodlatte	Pearce
Barrow	Granger	Pence
Bartlett (MD)	Graves	Peterson (PA)
Barton (TX)	Green (WI)	Petri
Bass	Gutknecht	Pickering
Beauprez	Hall	Pitts
Biggart	Harris	Platts
Bilbray	Hart	Poe
Bilirakis	Hastings (WA)	Pombo
Bishop (UT)	Hayes	Porter
Blackburn	Hayworth	Price (GA)
Blunt	Hefley	Pryce (OH)
Boehlert	Hensarling	Putnam
Boehner	Herger	Radanovich
Bonilla	Hobson	Ramstad
Bonner	Hoekstra	Regula
Bono	Hostettler	Rehberg
Boozman	Hulshof	Reichert
Boustany	Hunter	Renzi
Bradley (NH)	Hyde	Reynolds
Brady (TX)	Inglis (SC)	Rogers (AL)
Brown (SC)	Issa	Rogers (KY)
Brown-Waite,	Istook	Rogers (MI)
Ginny	Jenkins	Rohrabacher
Burgess	Jindal	Ros-Lehtinen
Burton (IN)	Johnson (IL)	Royce
Buyer	Johnson, Sam	Ryan (WI)
Calvert	Keller	Ryun (KS)
Camp (MI)	Kelly	Saxton
Campbell (CA)	Kennedy (MN)	Schmidt
Cannon	King (IA)	Schwarz (MI)
Cantor	King (NY)	Sensenbrenner
Capito	Kingston	Sessions
Carter	Kirk	Shadegg
Chabot	Kline	Shaw
Chocola	Knollenberg	Shays
Coble	Kolbe	Sherwood
Cole (OK)	Kuhl (NY)	Shimkus
Conaway	LaHood	Shuster
Crenshaw	Latham	Simmons
Cubin	LaTourette	Simpson
Davis (KY)	Lewis (CA)	Smith (NJ)
Davis, Jo Ann	Lewis (KY)	Smith (TX)
Davis, Tom	Linder	Sodrel
Deal (GA)	LoBiondo	Souder
Dent	Lucas	Stearns
Diaz-Balart, L.	Lungren, Daniel	Sullivan
Diaz-Balart, M.	E.	Sweeney
Doolittle	Mack	Tancredo
Drake	Manzullo	Taylor (NC)
Dreier	Marchant	Terry
Duncan	McCauley (TX)	Thomas
Ehlers	McCotter	Thornberry
Emerson	McCrery	Tiahrt
English (PA)	McHenry	Tiberi
Everett	McHugh	Turner
Feeney	McKeon	Upton
Ferguson	McMorris	Walden (OR)
Fitzpatrick (PA)	Rodgers	Walsh
Flake	Melancon	Wamp
Foley	Mica	Weldon (FL)
Forbes	Miller (FL)	Weller
Fortenberry	Miller (MI)	Westmoreland
Fossella	Miller, Gary	Whitfield
Fox	Moran (KS)	Wicker
Franks (AZ)	Murphy	Wilson (NM)
Frelinghuysen	Musgrave	Wilson (SC)
Gallegly	Myrick	Wolf
Garrett (NJ)	Neugebauer	Young (AK)
Gerlach	Northup	Young (FL)

NOES—194

Abercrombie	Bean	Blumenauer
Ackerman	Becerra	Boren
Allen	Berkley	Boswell
Andrews	Berman	Boucher
Baca	Berry	Boyd
Baird	Bishop (GA)	Brady (PA)
Baldwin	Bishop (NY)	Brown (OH)

Brown, Corrine	Hoyer	Payne
Butterfield	Inslee	Pelosi
Capps	Israel	Peterson (MN)
Capuano	Jackson (IL)	Pomeroy
Cardin	Jefferson	Price (NC)
Cardoza	Johnson, E. B.	Rahall
Carnahan	Jones (NC)	Reyes
Carson	Jones (OH)	Ross
Case	Kanjorski	Rothman
Chandler	Kaptur	Roybal-Allard
Clay	Kennedy (RI)	Ruppersberger
Clyburn	Kildee	Rush
Conyers	Kilpatrick (MI)	Ryan (OH)
Cooper	Kind	Sabo
Costa	Kucinich	Salazar
Costello	Langevin	Sánchez, Linda
Cramer	Lantos	T.
Crowley	Larsen (WA)	Sanchez, Loretta
Cuellar	Larson (CT)	Sanders
Cummings	Leach	Schakowsky
Davis (AL)	Lee	Schiff
Davis (CA)	Levin	Schwartz (PA)
Davis (IL)	Lipinski	Scott (GA)
Davis (TN)	Lofgren, Zoe	Scott (VA)
DeFazio	Lowe	Serrano
DeGette	Lynch	Sherman
Delahunt	Maloney	Skelton
DeLauro	Markey	Slaughter
Dicks	Matheson	Smith (WA)
Dingell	Matsui	Snyder
Doggett	McCarthy	Solis
Doyle	McCollum (MN)	Spratt
Edwards	McDermott	Stark
Emanuel	McGovern	Stupak
Engel	McIntyre	Tanner
Eshoo	McKinney	Tauscher
Etheridge	McNulty	Taylor (MS)
Evans	Meek (FL)	Thompson (CA)
Farr	Meeks (NY)	Thompson (MS)
Filner	Michaud	Tierney
Ford	Miller (NC)	Towns
Frank (MA)	Miller, George	Udall (CO)
Gilchrest	Mollohan	Udall (NM)
Gonzalez	Moore (KS)	Van Hollen
Gordon	Moore (WI)	Velázquez
Green, Al	Moran (VA)	Visclosky
Green, Gene	Murtha	Wasserman
Grijalva	Nadler	Schultz
Gutierrez	Napolitano	Waters
Harman	Neal (MA)	Watson
Hastings (FL)	Oberstar	Watt
Herseeth	Obey	Waxman
Higgins	Olver	Weiner
Hinche	Ortiz	Wexler
Hinojosa	Owens	Woolsey
Holden	Pallone	Wu
Holt	Pascrell	Wynn
Honda	Paul	
Hooley		

NOT VOTING—16

Castle	Johnson (CT)	Oxley
Cleaver	Lewis (GA)	Rangel
Culberson	Marshall	Strickland
Davis (FL)	Meehan	Weldon (PA)
Fattah	Millender	
Jackson-Lee	McDonald	
(TX)	Ney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1322

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO SECRETARY OF STATE

Mr. BARRETT of South Carolina, from the Committee on International Relations, submitted a privileged report (Rept. No. 109-689) on the resolution (H. Res. 985) directing the Secretary of State to provide to the House of Representatives certain documents in the possession of the Secretary of

State relating to the report submitted to the Committee on International Relations of the House of Representatives on July 28, 2006, pursuant to the Iran and Syria Nonproliferation Act, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, on September 21, I inadvertently voted "aye" on rollcall 470, the Appalachian Regional Development Act Amendments of 2006. Please let the RECORD reflect that I enter a "no" vote on this rollcall.

MILITARY COMMISSIONS ACT OF 2006

Mr. HUNTER. Mr. Speaker, pursuant to House Resolution 1042, I call up the bill (H.R. 6166) to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1042, the amendment printed in House Report 109-688 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Military Commissions Act of 2006".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Construction of Presidential authority to establish military commissions.
- Sec. 3. Military commissions.
- Sec. 4. Amendments to Uniform Code of Military Justice.
- Sec. 5. Treaty obligations not establishing grounds for certain claims.
- Sec. 6. Implementation of treaty obligations.
- Sec. 7. Habeas corpus matters.
- Sec. 8. Revisions to Detainee Treatment Act of 2005 relating to protection of certain United States Government personnel.
- Sec. 9. Review of judgments of military commissions.
- Sec. 10. Detention covered by review of decisions of Combatant Status Review Tribunals of propriety of detention.

SEC. 2. CONSTRUCTION OF PRESIDENTIAL AUTHORITY TO ESTABLISH MILITARY COMMISSIONS.

The authority to establish military commissions under chapter 47A of title 10, United States Code, as added by section 3(a), may not be construed to alter or limit the authority of the President under the Constitution of the United States and laws of the United States to establish military commissions for areas declared to be under martial law or in occupied territories should circumstances so require.

SEC. 3. MILITARY COMMISSIONS.

(a) MILITARY COMMISSIONS.—

(1) IN GENERAL.—Subtitle A of title 10, United States Code, is amended by inserting after chapter 47 the following new chapter:

"CHAPTER 47A—MILITARY COMMISSIONS

- "Subchapter
- "I. General Provisions 948a
- "II. Composition of Military Commissions 948h
- "III. Pre-Trial Procedure 948q
- "IV. Trial Procedure 949a
- "V. Sentences 949s
- "VI. Post-Trial Procedure and Review of Military Commissions 950a
- "VII. Punitive Matters 950p

"SUBCHAPTER I—GENERAL PROVISIONS

- "Sec.
- "948a. Definitions.
- "948b. Military commissions generally.
- "948c. Persons subject to military commissions.
- "948d. Jurisdiction of military commissions.
- "948e. Annual report to congressional committees.

"§ 948a. Definitions

"In this chapter:

"(1) UNLAWFUL ENEMY COMBATANT.—(A) The term 'unlawful enemy combatant' means—

"(i) a person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant (including a person who is part of the Taliban, al Qaeda, or associated forces); or

"(ii) a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.

"(B) CO-BELLIGERENT.—In this paragraph, the term 'co-belligerent', with respect to the United States, means any State or armed force joining and directly engaged with the United States in hostilities or directly supporting hostilities against a common enemy.

"(2) LAWFUL ENEMY COMBATANT.—The term 'lawful enemy combatant' means a person who is—

"(A) a member of the regular forces of a State party engaged in hostilities against the United States;

"(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

"(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.

"(3) ALIEN.—The term 'alien' means a person who is not a citizen of the United States.

"(4) CLASSIFIED INFORMATION.—The term 'classified information' means the following:

"(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.

"(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

"(5) GENEVA CONVENTIONS.—The term 'Geneva Conventions' means the international conventions signed at Geneva on August 12, 1949.

"§ 948b. Military commissions generally

"(a) PURPOSE.—This chapter establishes procedures governing the use of military